GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – BC Welfare Department – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 against Sri Kumara swamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired)- Article of Charges – Orders – Issued.

BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.35 **Dated:16-02-2022.**

Read the following:

1. From the Director General, ACB, A.P., Vijayawada, Rc.No.84/DES-VSK/2016, dt.28.03.2018
2. G.O.Ms.No.27, BC Welfare (D) Dept., dated.16.02.2022.

-:0:-

ORDER:

In pursuance of the sanction accorded by the Government vide reference 2nd read above, under Sub-Clause (i) of clause (b) of Sub-Rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for initiating departmental proceedings against Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired), it is considered necessary to hold an inquiry against the said Sri Kumaraswamy Naik, HWO (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired), is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired), is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired), is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired), is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under no circumstances Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that the said Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired) is aware of such a

(P.T.O)

representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Kumaraswamy Naik, the then HWO, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District (now retired) "through" the Director of BC Welfare, A.P., Vijayawada.

Copy to:
The Director of BC Welfare, A.P., Vijayawada. (with a request to serve and return the dated acknowledged served copy)
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.35, BCW(D) Dept., Dt:16.02.2022]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI KUMARASWAMY NAIK, THE THEN HWO, GOVT. B.C BOYS HOSTEL, YERRAMUKKAM, SOMPETA MANDAL, SRIKAKULAM DISTRICT (NOW RETIRED):-

While working as Hostel Welfare Officer, Govt. B.C Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District, Sri Kumaraswamy Naik has committed the following grave misconduct in as much as:

CHARGE :-

That Sri Kumaraswamy Naik, HWO, Govt. B.C. Boys Hostel, Yerramukkam, Sompeta mandal, Srikakulam District, successor of Sri K. Guruvulu, HWO, Yerramukkam, Mandasa mandal processed the bills given by the Sri K. Guruvulu and submitted the bills to the Treasury though he is having knowledge of the inflating the strength of the boarders by his predecessor.

Thus, Sri Kumaraswamy Naik, H.W.O by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964 r/w Rule 9 of AP Revised Pension Rules, 1980.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

[Annexure to G.O.Rt.No.35, BCW(D) Dept., Dt:16.02.2022]

ANNEXURE –II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI KUMARASWAMY NAIK, THE THEN HWO, GOVT. B.C BOYS HOSTEL, YERRAMUKKAM, SOMPETA MANDAL, SRIKAKULAM DISTRICT (NOW RETIRED):-

On credible information that Sri K. Guruvulu, Incharge Hostel Welfare Officer, Govt. B.C. Boys prematric hostel, Yerramukkam, sompeta mandal, Srikakulam distirct, who is the HWO, Govt. B.C. College Boys Hostel, Palasa, Srikakulam District and also In charge of Govt. B.C. Boys prematric hostel, Palasa was misappropriating the Govt. funds by inflating the number of boarders of the hostels and was committing many irregularities in the hostels, the ACB officials of Srikakulam Range conducted surprise check on the Govt. B.C. Boys Hostel, Yerramukkam, Sompeta mandal, Srikakulam District on 04.08.2016 in the presence of the mediators .

During the course of enquiry, it is established that the HWO Sri K. Guruvulu, predecessor of the Govt. servant inflated the number of boarders and thereby misappropriated an amount of Rs.9,718/- (including the amount of Rs.2,381/- credited into his personal account + amounts taken back from the vendors Sri B. Perayya and Sri B. Paparao) for the months of June 2016 & July 2016 by inflating the number of boarders accommodated in the hostel by preparing false attendance register.

During the course of enquiry, the IO secured the presence of Sri Kumaraswamy Naik, successor of the SO at Yerramukkam B.C. Boys Hostel and examined him. On examination, he stated that though he has knowledge that Sri K.Guruvulu, his predecessor, has inflated the number of boarders, he processed the diet bills submitted by his predecessor Sri Konchada Guruvulu for 14 boarders for the months of June & July at the request of Sri K.Guruvulu and the bill amounts were credited into the accounts of Sri B.Paparao and Sri B.Perayya (Vendors) and the personal account Sri K.Guruvulu. He further stated that an amount of Rs.5,522/- for the month of June, 2016 was credited into the account of Sri B.Paparao. Rs.1,202/- and Rs.1,179/- were credited into the personal account of the SO Sri Konchada Guruvulu for the months of June and July, 2016 respectively.

The Sub Treasury Officer, Sompeta vide his letter Rc. No. 01/SA-I/2017-18 Dated 10.07.2017 informed that the HWO, Govt. B.C. Boys Hostel, Yerramukkam claimed the diet charges for the months of June to August, 2016 on 19.11.2016.

On examination Sri B. Perayya stated that he is maintaining a petty Kirana and vegetable shop at Yerramukkam. He knew Sri Guruvulu, HWO, Govt. B.C. Boys Hostel, Yerramukkam and he is supplying vegetables and other provisions to the Govt. B.C. Boys Hostel, Yerramukkam in small quantity now and then and denied of giving any receipts to Sri Guruvulu, HWO with his signatures. He has also stated that he did not supply large quantity of vegetables and other provisions to the Govt. B.C. Boys Hostel, Yerramukkam. He stated that he supplied provisions approximately to a cost of Rs.3,000/- in the month of June, 2016, crediting the amount of Rs.5,522/- for the month of June, 2016 into his bank account and taking the excess amount of Rs.2,522/- by Sri Guruvulu etc facts.

On examination Sri B. Paparao stated that he is maintaining a petty Kirana and vegetable shop at Yerramukkam. H knew Sri Guruvulu, HWO, Govt. B.C. Boys Hostel, Yerramukkam and he is supplying vegetables and other provisions to the Govt. B.C. Boys Hostel, Yerramukkam in small quantity now and then and denied of giving any receipts to Sri Guruvulu, HWO with his signatures. He has also stated that he did not supply large quantity of vegetables and other provisions to the Govt. B.C. Boys Hostel, Yerramukkam. He stated that he supplied provisions approximately to a cost of Rs.4,000/- in the month of July, 2016, crediting the amount of Rs.9,798/- for the month of July, 2016 for the items supplied by him for the month of July, 2016 into his bank account and taking over the excess amount of Rs.4,815/- by Sri Guruvulu etc facts.

The District B.C. Welfare Officer, Srikakulam furnished the information about the strength and other details of the Govt. B.C. Boys hostel, Yerramukkam.

That Sri Kumaraswamy Naik, HWO, Govt. B.C. Boys Hostel, Yerramukkam, Sompeta mandal, Srikakulam District, successor of Sri K.Guruvulu, HWO, Yerramukkam, Mandasa mandal processed the bills given by the Sri K. Guruvulu and submitted the bills to the Treasury though he is having knowledge of the inflating the strength of the boarders by his predecessor.

Thus, the Government servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.35, BCW(D) Dept., Dt:16.02.2022]

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI KUMARASWAMY NAIK, THE THEN HWO, GOVT. B.C BOYS HOSTEL, YERRAMUKKAM, SOMPETA MANDAL, SRIKAKULAM DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED:

1.	Surprise Check Proceedings drafted at B.C. Welfare Boys hostel, Yerramukkam, Sompeta Mandal, Srikakulam District on 04.08.2016
2.	Copy of Surprise Check Proceedings drafted at B.C. Welfare College Boys hostel, Palasa, Srikakulam District on 04.08.2016
3.	Original staff attendance register of Govt. B.C. Boys Hostel, Yerramukkam seized during the surprise check conducted on the hostel on 04.08.2016
4.	Rc. No. A1/174/2016/BCW Dated 10.08.2016 of the District B.C. Welfare Officer, Srikakulam.
5.	Rc. No. 01/SA-I/2017-18 dated 10.07.2017 of the Sub Treasury Officer, Sompeta.
6.	Statement of Smt. Gandupalli Rupavathi, W/o (L) Duryodhana, maidservant (on temporary basis), B.C. Welfare boys' hostel, Yerramukkam, R/o Yerramukkam Village, Sompeta Mandal
7.	Statement of Koda Santhosh , S/o Ravi, age 12 yrs, 7th class, ZP High School, Yarramukkam N/o Yarramukkam village, Sompeta mandal, Srikakulam District
8.	Statement of Matta Hari, S/o Bhaskara Rao, age 13 yrs, 8th Class, ZP High School, Yarramukkam. N/o Jillunda village, Mandasa mandal, Srikakulam District
9.	Statement of Rikka Syama Sundara Rao, S/o Yogi, age 14 yrs, 9th class, ZP High School, Yarramukkam. N/o Yarramukkam village, Sompeta mandal, Srikakulam District
10.	Statement of Konda Mohana Rao, S/o (L) Raja Rao, 14 years, 9th class, ZP High School, Yarramukkam. N/o Battigolluru village, Sompeta mandal, Srikakulam District
11.	Statement of Dasari Kumara Swamy, S/o janaki Rao, age 14 yrs, 9th Class, ZP High School, Yarramukkam. N/o Akkupalli village, Sompeta mandal, Srikakulam District
12.	Statement of Vanka Rama Rao, S/o Joga Rao, age 15 yrs, 10th Class, ZP High School, Yarramukkam. N/o Geddavuru village, Mandasa mandal, Srikakulam District
13.	Statement of Matta Rajesh, S/o Bhskara Rao, age 15 yrs, 10th Class, ZP High School, Yarramukkam. N/o Jillunda village, Mandasa mandal, Srikakulam District
14.	Statement of Sri Baipalli Papa Rao, S/o (L) Durga Rao, Kirana & Vegetables Business, Yarramukkam Village, Sompeta Mandal
15.	Statement of Sri Baipalli Perayya S/o (L) Musalayya, Kirana & Vegetables Business, Yerramukkam Village of Sompeta Mandal
16.	Statement of Sri Kumaraswamy Naik, HWO, Govt.B.C. Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District
17.	Statement of Sri L. Apparao, S/o late Asirappadu, Asst. B.C. Welfare Officer, Tekkali, Incharge ABCWO, Palasa. R/o New Colony, Tekkali.

18.	Any other document if necessary it will be produced at the time of enquiry

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

[Annexure to G.O.Rt.No.35, BCW(D) Dept., Dt:16.02.2022]

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI KUMARASWAMY NAIK, THE THEN HWO, GOVT. B.C BOYS HOSTEL, YERRAMUKKAM, SOMPETA MANDAL, SRIKAKULAM DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED:

1.	Sri Madugula Ram babu S/o, Papa Rao, Forest Section Officer, O/o Forest Range Office (Task Force) Srikakulam. R/o H.No. 491C, P.N.Colony. 10th line, Srikakulam
2.	Sri Kandi Raja Ramesh, S/o (L) Tavitayya, Technical Assistant O/o the Inspector Legal Metrology, Srikakulam. R/o Flat.No.106, Aruna County Janakirama Nagar Colony, Srikakulam
3.	Smt. Gandupalli Rupavathi, W/o (L) Duryodhana, maidservant (on temporary basis), B.C. Welfare boys' hostel, Yerramukkam, R/o Yerramukkam Village, Sompeta Mandal
4.	Koda Santhosh , S/o Ravi, age 12 yrs, 7th class, ZP High School, Yarramukkam N/o Yarramukkam village, Sompeta mandal, Srikakulam District
5.	Matta Hari, S/o Bhaskara Rao, age 13 yrs, 8th Class, ZP High School, Yarramukkam. N/o Jillunda village, Mandasa mandal, Srikakulam District
6.	Rikka Syama Sundara Rao, S/o Yogi, age 14 yrs, 9th class, ZP High School, Yarramukkam. N/o Yarramukkam village, Sompeta mandal, Srikakulam District
7.	Konda Mohana Rao, S/o (L) Raja Rao, 14 years, 9th class, ZP High School, Yarramukkam. N/o Battigolluru village, Sompeta mandal, Srikakulam District
8.	Dasari Kumara Swamy, S/o janaki Rao, age 14 yrs, 9th Class, ZP High School, Yarramukkam. N/o Akkupalli village, Sompeta mandal, Srikakulam District
9.	Vanka Rama Rao, S/o Joga Rao, age 15 yrs, 10th Class, ZP High School, Yarramukkam. N/o Geddavuru village, Mandasa mandal, Srikakulam District
10.	Matta Rajesh, S/o Bhskara Rao, age 15 yrs, 10th Class, ZP High School, Yarramukkam. N/o Jillunda village, Mandasa mandal, Srikakulam District
11.	Sri Baipalli Papa Rao, S/o (L) Durga Rao, Kirana & Vegetables Business, Yarramukkam Village, Sompeta Mandal
12.	Sri Baipalli Perayya S/o (L) Musalayya, Kirana & Vegetables Business, Yerramukkam Village of Sompeta Mandal
13.	Sri Kumaraswamy Naik, HWO, Govt.B.C. Boys Hostel, Yerramukkam, Sompeta Mandal, Srikakulam District
14.	Sri L. Apparao, Incharge ABCWO, Palasa
15.	Sub Treasury Officer, Sompeta.
16.	Sri P. Srinivasa Rao, Inspector of Police, ACB, Srikakulam Range.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER